

<p>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY Caption in Compliance with D.N.J. LBR 9004-1(b)</p>	<p>U.S. BANKRUPTCY COURT FILED 2023 OCT 13 P 3:25 JACQUE A. HAWKINTON DReave</p>
<p>Neelay Das 4682 Chabot Dr #10236 Pleasanton, CA 94588-2747  Email: <a href="mailto:neelay.bbby.njb@gmail.com">neelay.bbby.njb@gmail.com</a>  <i>Stockholder</i></p>	<p>Gabriel Rostom 63 Rue de la Folie Regnault 75011 PARIS – France  Tel : +33756942880  <i>Stockholder</i></p>
<p>In Re: BED BATH &amp; BEYOND INC., et al., Debtors.<sup>1</sup></p>	<p>Chapter 11  Case No. 23-13359 (VFP)  (Jointly Administered)</p>

**NOTICE OF MOTION OF COMMON STOCK EQUITY INTEREST HOLDERS FOR  
CERTIFICATION OF DIRECT APPEAL TO THE UNITED STATES COURT OF  
APPEALS FOR THE THIRD CIRCUIT**

**PLEASE TAKE NOTICE** that Neelay Das and Gabriel Rostom, the undersigned holders (the “Stockholders”) of Common Stock equity interests in 20230930-DK-Butterfly-1, Inc. (f.k.a. Bed Bath & Beyond Inc.), which has traded on Nasdaq exchange under the symbol “BBBY” and has traded over the counter under the symbol “BBBYQ” as recently as 09/29/2023, shall move, on an expedited basis, before the Honorable Vincent F. Papalia<sup>2</sup>, United States Bankruptcy Judge for the United States Bankruptcy Court for the District of New Jersey, 50

<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these Chapter 11 Cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 650 Liberty Avenue, Union, New Jersey 07083.

<sup>2</sup> Information regarding Judge Papalia is accessible here: <https://www.njb.uscourts.gov/judges-info/honorable-vincent-f-papalia>

Document Page 2 of 3  
Walnut Street, Courtroom 3B, Newark, NJ 07102, for entry of an order granting the relief sought in the *Motion of Common Stock Equity Interest Holders for Certification of Direct Appeal to the United States Court of Appeals for the Third Circuit* (the "Motion For Certification Of Direct Appeal").

**PLEASE TAKE FURTHER NOTICE** that, substantially contemporaneously with the filing of this Motion For Certification Of Direct Appeal, the Stockholders are filing an Application for Order Shortening Time (the "Scheduling Application") requesting that the hearing on the Motion For Certification Of Direct Appeal be scheduled at the Court's earliest convenience. **PLEASE TAKE NOTE that the order entered with respect to the Scheduling Application will specify the date and time of the hearing on the Motion For Certification Of Direct Appeal.**

**PLEASE TAKE FURTHER NOTICE** that objections to the relief requested, if any, shall be filed with the Clerk of the Bankruptcy Court and served upon all parties in interest by the deadline to file objections specified in the order entered with respect to the Scheduling Application.

**PLEASE TAKE FURTHER NOTICE** that unless objections are timely filed, the Motion shall be decided on the papers in accordance with D.N.J. LBR 9013-3(d), and the relief requested may be granted without further notice or hearing.

**PLEASE TAKE FURTHER NOTICE** that pursuant to D.N.J. LBR 9013-3(a), in the event the Motion is contested, there is a duty to confer to determine whether a consent order may be entered disposing of the Motion or to stipulate to the resolution of as many issues as possible.

**PLEASE TAKE FURTHER NOTICE** that in accordance with D.N.J. LBR 9013-3(e), unless the Court authorizes otherwise prior to the hearing date hereof, no testimony shall be taken at the hearing except by certification or affidavit.

Respectfully submitted,


Date: 10/13/2023

Document

Page 1 of 3

  
Neelay Das

Date: 10/13/2023

  
Gabriel Rostom [Oct 13, 2023 17:49 GMT+2]

Gabriel Rostom